

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

SHARON ROBERTSON and BRENDA )  
HATHAWAY, as Co-Personal )  
Representatives of the Estate of )  
WILLIAM T. BEACH, deceased, )

Plaintiffs, )

vs. )

FRONTERA PRODUCE LTD., a )  
foreign corporation; PRIMUS )  
GROUP, INC., d/b/a PRIMUS LABS, )  
a foreign corporation; HOMELAND )  
STORES, INC., a domestic corporation; )  
ASSOCIATED WHOLESALE )  
GROCERS, INC., a foreign corporation; )  
and JOHN DOES 1-10, )

Defendants. )

PRIMUS GROUP, INC., d/b/a PRIMUS )  
LABS, a foreign corporation, )

Third-Party Plaintiff, )

vs. )

JENSEN FARMS, )

Third-Party Defendants. )

Case No. 5:11-cv-01321-R  
Judge David L. Russell

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE OF ALL CLAIMS**

All parties to this action file this Stipulation of Dismissal With Prejudice of all claims under Federal Rules of Civil Procedure 41(a)(1)(ii) and 41(b). Such dismissal is based upon the following:

1. The Parties to this action have reached an agreement to resolve all remaining claims in this lawsuit.
2. The parties now move to dismiss all remaining claims *with prejudice*.
3. This case is not a class action.
4. A receiver has not been appointed in this action.
5. This case is not governed by any federal statute that requires an order of the Court for dismissal of the case.
6. This dismissal is filed *with prejudice* and shall terminate any and all claims asserted in the lawsuit and/or that could have been asserted in the lawsuit, including the dismissal *with prejudice* of Defendants Associated Wholesale Grocers, Inc. and Pruett's Food, Inc.'s Crossclaim against Defendant Frontera Produce, Ltd. (Doc. 84), Defendant Primus Group, Inc.'s Crossclaim against Defendant Frontera Produce, Ltd. (Doc. 109), and Defendant Primus Group, Inc.'s Third-Party Claim against Jensen Farms (Doc. 110).
7. This dismissal is not an admission of liability.
8. Plaintiffs and Defendants shall bear their own respective attorney fees and costs relating to claims and defenses asserted in this action.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of March, 2015, I electronically filed the foregoing document with the clerk of the Court using the CM/ECF system, which sent notification of such filing to all registered attorneys.

/s/ Bruce T. Clark